

R850. School and Institutional Trust Lands, Administration.

R850-110. Motor Vehicle Travel Designations.

R850-110-100. Authorities.

This rule implements Sections 6, 8, 10, and 12 of the Utah Enabling Act, Articles X and XX of the Utah Constitution, and Subsections 53C-1-302(1)(a)(ii) and 53C-2-301(1)(g) which authorize the Director of the School and Institutional Trust Lands Administration to establish rules consistent with general policies prescribed by the board of trustees, and regulate the unauthorized use or occupation of trust land, and Subsection 41-22-10.1(2) which authorizes the agency to designate trails, streets, or highways as open to off-highway vehicle use.

R850-110-200. Travel Route Designations.

1. Pending detailed route designations, all routes upon which exist a temporary public easement pursuant to Subsection 72-5-203(1)(a), other valid legal easement or right-of-way, or a permanent public access easement granted pursuant to agency rules are designated as open to motor vehicle use to the extent that such use is permitted by state law and local ordinances.

2. The agency may establish "Designated Use Only" areas.

(a) All routes within a "Designated Use Only" area are closed to motor vehicle use unless specifically designated open by the agency or authorized for a specific use through the issuance of a permit, easement, or lease.

(b) "Designated Use Only" areas may be established by the director through a written finding that such action is consistent with trust management objectives, current and projected land uses, and resource protection considerations.

3. All lands administered by the agency are closed to cross-country travel by all motor vehicles other than over-snow vehicles unless otherwise designated open or authorized for a specific use through the issuance of a permit, easement, or lease.

4. Except as authorized under Subsections (1) through (3), all trust lands are closed to motor vehicle use.

R850-110-300. Route Designations on Roads Maintained by Local Government Entities.

The agency may coordinate route designations with local government entities on routes maintained by them.

R850-110-400. Over-snow Vehicles.

All lands are open to cross-country travel by over-snow vehicles provided that:

1. the use is consistent with state law and not in conflict with current leases or permits; and

2. adequate snow depth exists to prevent resource

degradation. Adequate snow depth is generally accepted to be at least 12 inches of consistent snow cover, but may vary depending on terrain or other ground conditions. The determination of whether there is adequate snow depth to prevent resource degradation shall be at the sole discretion of the agency.

R850-110-500. Route Width Designations.

Routes which have been designated as open to motor vehicle use by the agency may further be designated to allow for certain width classes of OHVs.

1. Twenty-six inches or less. Only OHVs under 26 inches wide may utilize routes designated in this class.

2. Fifty-two inches or less. Only OHVs under 52 inches wide may utilize routes designated in this class.

3. Routes which do not have a designated width class are open to all motor vehicles, provided that the vehicle width does not exceed the existing disturbed travel surface of the route.

R850-110-600. Date and Time Restrictions.

Routes which have been designated as open to motor vehicle use or areas which have been designated by the agency as open to cross-country travel, may be restricted to allow for use only within certain times of year or times of day.

R850-110-700. Other Route or Area Restrictions.

Additional restrictions or designations other than those specifically identified by rule may be placed upon routes or areas which have been designated as open to motor-vehicle use by the director. Such actions shall be authorized through a written finding by the director that the action is consistent with trust-management objectives, resource protection considerations, or other justified reasons.

R850-110-800. Method of Designating Travel Routes.

Travel routes may be designated as open to motor vehicle use and areas may be designated as open to cross-country travel by the director through a written finding that such action is consistent with trust-management objectives, current and projected land uses, and resource-protection considerations. Routes or areas that have been designated open to motor vehicle use by the director shall be identified as specified in Subsection 41-22-10.1 by posting signs or designating by map or description. Additional designations with respect to route widths, date and time restrictions, or other restrictions shall also be identified through posted signs, map, or description. Posted signs shall conform to accepted interagency statewide OHV trail signing standards, and maps may be published in cooperation with other land-management agencies where

practicable.

R850-110-900. Director's Authority to Close Routes and Areas.

The director may close specific routes and areas to motorized vehicle use, regardless of any previous route designation, when necessary for resource protection, to fulfill trust-management objectives, or for other justified reasons. Such action shall be documented in a written finding by the director. Amendments shall be made to existing route designation maps or descriptions and signs posted as necessary.

R850-110-1000. Scattered Sections and Isolated Parcel Designations.

The agency may coordinate route designations with adjacent land-management agencies to reduce confusion over ownership boundaries and complications with enforcement. Agency land-use and management objectives may be carefully considered when negotiating with other land-management agencies.

R850-110-1100. Blocked Land Designations.

The agency may coordinate designations of shared routes with adjacent land-management agencies to the extent that such designations are consistent with agency management objectives. All other routes and areas contained within land blocks shall be designated in accordance with trust-management objectives, current and projected land uses, and resource protection considerations.

R850-110-1200. Off-Trail Game Retrieval.

Use of a motor vehicle for the retrieval of downed game off of a designated route is prohibited, unless located within an area which has been designated as open for cross-country travel.

R850-110-1300. Recreational Use Requiring a Lease or Permit.

1. Commercial recreational use of trust lands, including competitive events or use of trust lands by commercial outfitters or tour operators, will be allowed only upon issuance of a Right-of-Entry Permit or Special Use Lease in accordance with current rules.

2. Long-term non-commercial recreational use of trust lands exceeding 15 consecutive days will be allowed only upon issuance of a Right-of-Entry Permit or Special Use Lease in accordance with current rules.

R850-110-1400. Exemptions.

The following uses are exempt from the restrictions and prohibitions set forth in this rule:

1. Administrative use by the agency.

2. Use in conjunction with the administration or operation of a valid lease or permit.

3. Use of any fire, military, emergency, or law-enforcement vehicle for emergency purposes.

4. Law-enforcement response to violations of law, including pursuit.

KEY: land use, leases, permits, roads

Date of Enactment or Last Substantive Amendment: October 25, 2010

Notice of Continuation: November 8, 2018

Authorizing, and Implemented or Interpreted Law: 53C-1-302(1)(a)(ii); 53C-2-301(1)(g)